

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-16 and 18-23 are now in the application and are subject to examination.

Claim 1 and 18 have been amended. Claim 17 has been canceled herein. No claims have been added herein.

In “Claim Objections” in item 1 on page 2 of the above-identified Office Action, claim 18 has been objected to for missing a period at the end. Appropriate correction has been made.

In “Claim Rejections – 35 USC § 102” in item 3 on pages 2 to 6 of the Office Action, claims 12-15 and 18-20 have been rejected as being fully anticipated by U.S. Patent Application Publication No. 2002/0141346 A1 to Garcia-Luna-Aceves et al. (hereinafter “Garcia-Luna-Aceves”) under 35 U.S.C. § 102(b).

In “Claim Rejections – 35 USC § 103” in item 5 on page 7 of the Office Action, claim 16 has been rejected as being obvious over Garcia-Luna-Aceves in view of U.S. Patent Application Publication No. 2003/0081608 A1 to Barri et al. (hereinafter “Barri”) under 35 U.S.C. § 103(a).

In “Claim Rejections – 35 USC § 103” in item 6 on pages 7-8 of the Office Action, claims 21-23 have been rejected as being obvious over Garcia-Luna-Aceves in

view of U.S. Patent No. 7,395,351 to Nucci et al. (hereinafter “Nucci”) under 35 U.S.C. § 103(a).

Finally, Applicants appreciatively acknowledge the Examiner’s statement in item 7 on page 8 of the Office Action, that claim 17 “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.”

The rejections and the allowability of claim 17 have been noted and the claims have been amended by canceling claim 17 and placing the subject matter thereof into claim 12. All of the remaining claims are ultimately dependent on claim 12.

It is noted that International Application No. PCT/EP2005/050082, the priority of which is claimed in the instant application and which is incorporated therein by reference, included multiple dependent claims and interdependencies between original independent claim 1 and claims containing almost all of the claimed features in almost any combination, so that the current dependency of all of the dependent claims on a combination of claims 12 and 17 was contemplated in the original PCT parent application. That included original claim 6, which corresponds to claim 17.

In view of the foregoing, reconsideration and allowance of claims 1-16 and 18-23, are solicited.

Application No. 10/585,714
Amendment dated 9/22/10
Reply to Office action of 3/22/10

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of three months pursuant to Section 1.136(a) in the amount of \$1,110.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to Deposit Account Number 12-1099 of Lerner Greenberg Stemer LLP.

Respectfully submitted,

/Laurence A. Greenberg/
Laurence A. Greenberg
Reg. No. 29,308

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Lerner Greenberg Stemer LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101

LAG/rr